

Exhibit B-2

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

ECOFACTOR, INC.,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

Civil Action No. 6:20-cv-00075 (ADA)

GOOGLE LLC'S AMENDED TRIAL WITNESS LIST

Google expects to call at trial the percipient and expert witnesses identified below.

Google also may call individuals listed on Plaintiff's trial witness list, as well as individuals necessary for rebuttal, and hereby reserves all rights to do so. Google intends to cross-examine any witnesses Plaintiff presents and reserves the right to adjust the order and manner in which it presents witnesses based on Plaintiff's case and based on circumstances beyond Google's control. In addition, Google may present deposition testimony, including in the event that any of the individuals listed below as witnesses that Google intends to call become unable to attend trial or are otherwise unable to provide live testimony.

No.	Witness	Will Call [live or by depo] ¹	May Call [live or by depo]	Est. Time (Hrs.)	EcoFactor's Objections
1	Jeff Gleeson	Live		0.5	
2	Dr. Marco Bonvini	Live		0.75	
3	Dr. Eric Burger	Live		1.25	
4	Josh Buffum	Live		0.5	
5	Dr. Don Turnbull	Live		1.5	FRE 702, 802. Dkts. 109, 116.
6	Glen Kuo	Depo		0.25	
7	Michael Brown, Representative of Nevada Energy	Depo		0.25	
8	Adam Grant, Representative of Nevada Energy	Depo		0.25	
9	William Yu, Representative of Trane Technologies	Depo		0.5	Untimely; post- fact discovery cutoff

¹ Due to the potential for circumstances beyond Google's control, including without limitation the conditions imposed by the pandemic, Google reserves the right to present a witness's live testimony through video or designate deposition testimony should the need arise.

No.	Witness	Will Call [live or by depo] ¹	May Call [live or by depo]	Est. Time (Hrs.)	EcoFactor's Objections
10	Timothy Clark, Representative of Bidgely, Inc.	Depo		0.5	
11	Gianna Orozco	Depo		0.25	
12	James MacCoun	Live		0.5	
13	Michael Maigret	Live		0.75	
14	Scott McGaraghan	Live		0.5	
15	W. Todd Schoettelkotte	Live		1.5	FRE 702, 802. Dkts. 109, 117.
16	Scott Hublou	Depo		0.5	
17	Mark Malhotra	Live		0.5	No deposition
18	Dr. David Auslander	Live		0.5	FRE 702. Party agreement to Dkt. 112.
19	David Williams	Live		1.5	
20	Ruchi Desai	Live		0.5	
* ²	Shayan Habib	Live		1.5	
*	Glen Okita	Live		0.75	
	Dr. Ramya Bhagavatula		Live		
	Dia Kharrat		Live		
	Representatives of Automated Logic Corporation		Live		Unknown witnesses; no deposition
	Representatives of Daikin Industries, Ltd.		Live		Unknown witness; no deposition
	Representatives of Johnson Controls, Inc.		Live		Unknown witness; no deposition

² Plaintiff has indicated that it will call these witnesses as part of its case in chief. If not called by Plaintiff, then Google reserves its right to call these witnesses live and/or seek to introduce their deposition testimony during its case.

No.	Witness	Will Call [live or by depo] ¹	May Call [live or by depo]	Est. Time (Hrs.)	EcoFactor's Objections
	Representatives of Schneider Electric USA, Inc.		Live		Unknown witness; no deposition

EcoFactor's General Objections

In addition to the objections in the chart above, EcoFactor objects to Google's assertion that it may designate unknown "individuals necessary for rebuttal." Google cannot withhold from EcoFactor those witnesses it plans to call for rebuttal. EcoFactor also objects to Google's identification of "representatives" of various third parties rather than specific witnesses. Further, Google has listed a number of witnesses as "will call [live or by depo]" with a footnote stating that they reserve the right to have depo testimony admitted "should the need arise" due to the pandemic. EcoFactor objects to Google's failure to disclose whether it intends to call the listed witnesses live, or by depo. EcoFactor has provided deposition designations for those witnesses that EcoFactor understands Google will likely not call live, while not providing designations for those witnesses EcoFactor understands Google will likely call live, but reserves all rights to designate deposition testimony for any other witness on Google's witness list that Google identifies it will not call live. To the extent any pandemic-related issues arise for any witnesses that are designated to testify live, the parties can address such issues at that point in time. EcoFactor reserves all rights to designate deposition testimony for any such witness should such a situation arise. Further, EcoFactor objects to Google's listing of witnesses it "will" or "may" "call [live or by depo]" for which no deposition has been taken in this matter.

KEKER, VAN NEST & PETERS LLP

Dated: January 6, 2022

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 6, 2021, the foregoing was served on all counsel of record by e-mail.

/s/ Patrick Murray